

10-18-01

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Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | |
|------------------------|--|
| Attorney Docket No. | AXM-004.1 US |
| First Inventor | Schubart |
| Title | CELLULAR KINASES INVOLVED IN CYTOMEGALOVIRUS INFECTION AND THEIR INHIBITION |
| Express Mail Label No. | EL 909960115 US |

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 69]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
5. Oath or Declaration [Total Pages 3]
 - a. "un-"
Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of (when there is an assignee) Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other:

18. If a CONTINUATING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____ / _____

Prior application information: Examiner _____

Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

| | | | |
|---|---|--------------|---|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | (Insert Customer No. or Attach bar code label here) | | <input type="checkbox"/> or <input type="checkbox"/> Correspondence address below |
| Name | | | |
| Address | | | |
| City | State | Zip Code | |
| Country | Telephone | 617-491-4343 | Fax |

Name (Print/Type) Leon R. Yankwich, Esq. Registration No. (Attorney/Agent) 30,237

Signature Leon R. Yankwich Date 16 October 2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Schubart et al.

Serial No.: (not yet assigned)

Art Unit: (not yet known)

Filed: (concurrently herewith)

Examiner: (not yet known)

Entitled: CELLULAR KINASES INVOLVED IN
CYTOMEGALOVIRUS INFECTION
AND THEIR INHIBITION

Attorney Docket No.: AXM-004.1 US

Asst. Commissioner for Patents

Box Patent Application

Washington, D.C. 20231

UTILITY APPLICATION TRANSMITTAL

1. Fee Transmittal form PTO/SB/17 (in duplicate).
2. Utility Patent Application Transmittal form PTO/SB/05.
3. Application specification of 69 pages (including Claims and Abstract of the Disclosure).
4. Informal drawings (2 sheets).
5. Unexecuted Inventor's combined declaration for patent and power of attorney.
6. Return receipt post card.
7. Check No. 2211op in the amount of \$ 1076.00 to cover the application filing fee.

Respectfully submitted,



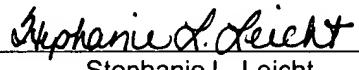
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telefax: (617) 491-8801

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

The undersigned hereby certifies that this correspondence listed above is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10, postage prepaid, Express Mailing Label No. **EL909960115US**, in an envelope addressed to the Asst. Commissioner for Patents, Box Patent Application, Washington, D.C. 20231 on the date indicated below.

16 October 2001

Date



Stephanie L. Leicht

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 3090.00)

Complete if Known

| | |
|----------------------|-------------------------|
| Application Number | (not yet assigned) |
| Filing Date | (concurrently herewith) |
| First Named Inventor | Schubart |
| Examiner Name | (not yet assigned) |
| Group Art Unit | (not yet assigned) |
| Attorney Docket No. | AXM-004.1 US |

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-0268**
Deposit Account Name **Yankwich & Associates**

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed: (check #)

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------------|--------------|---------------|---------------|------------------------|---------------|
| 101 | 740 | 201 | 370 | Utility filing fee | 740.00 |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | (\$ 740.00) | |

2. EXTRA CLAIM FEES

| | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|-----------------|-------------------|
| Total Claims | 37 | $-20^{**} = 17$ | $18.00 = 306.00$ |
| Independent Claims | 24 | $-3^{**} = 21$ | $84.00 = 1764.00$ |
| Multiple Dependent | | 280.00 | = 280.00 |

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description |
|--|---------------|-----------------|
| 103 | 18 | 203 |
| 102 | 84 | 202 |
| 104 | 280 | 204 |
| 109 | 84 | 209 |
| 110 | 18 | 210 |
| Claims in excess of 20 | | |
| Independent claims in excess of 3 | | |
| Multiple dependent claim, if not paid | | |
| ** Reissue independent claims over original patent | | |
| ** Reissue claims in excess of 20 and over original patent | | |
| SUBTOTAL (2) | | |
| (\$ 2350.00) | | |

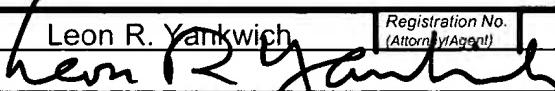
**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|-----------------------------------|--------------|---------------|--------------------------------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | | | |
| *Reduced by Basic Filing Fee Paid | | | SUBTOTAL (3) (\$ 00.00) | | |

SUBMITTED BY

Name (Print/Type) **Leon R. Yankwich** Registration No. (Attorney/Agent) **30,237** Telephone **617-491-4343**
Signature  Date **16 October 2001**

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